

OFFICIAL GAZETTE

GOVERNMENT OF GOA

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Department of Personnel

Notification

1-49-76-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in consultation with the Goa Public Service Commission vide their letter No. COM/II/13/42(2)/89 dated 7-6-1989, the Governor of Goa is pleased to make the following amendments to the Recruitment Rules to the Group 'B' posts in various Departments under the Government of Goa.

In the Schedule annexed to the Recruitment Rules to various Group 'B' posts under the Government of Goa, for the existing entry under column 6, the following entry shall be substituted, namely:—

"Not exceeding 35 years (relaxable for Government servants by five years in accordance with the instructions or orders issued by the Government)".

By order and in the name of the Governor of Goa.

Smt. Prabha Chandran, Under Secretary (Personnel).

Panaji, 13th July, 1989.

Law (Establishment) Department

Notification

4-9-87/LD(1)

The following Notification received from Additional Registrar (Administration) High Court (Appellate Side) Bombay is hereby published for general information of the public.

Maria A. Rodrigues, Under Secretary (Law).

Panaji, 29th May, 1989.

Notification by the High Court of Judicature at Bombay Appellate Side

No. P. 0106/77

In exercise of powers conferred by sub-rule (2) of Rule 9-A of Order XXXIII of the Code of Civil Procedure, 1908, the High Court of Judicature at Bombay with the previous approval of the Government of Goa, makes the following rules for assignment of a Pleader to an unrepresented indigent person.

1. *Short title and commencement.*—(1) These rules may be called Assignment of a Pleader to an unrepresented indigent person (Goa) Rules, 1989.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires:—

(a) 'Constituting Authority' means the authority empowered under these rules to constitute the panel;

(b) 'High Court' means the High Court of Judicature at Bombay;

(c) 'Panel' means list of Pleaders prepared and maintained under these rules;

(d) 'Pleader Assigned' means a Pleader assigned under these rules to represent an indigent person.

3. *Authority to constitute panel of Pleaders.*—The authority referred to in column No. 1 below shall constitute a panel of Pleaders willing to appear for an unrepresented indigent person in Civil Proceedings in Courts referred to in column No. 2 against them:

Name of the Constituting Authority	Name of the Court for which panel to be constituted
(a) Special Officer of the High Court of Judicature at Bombay Goa Bench, Panaji.	High Court of Judicature at Bombay Goa, Bench at Panaji.
(b) District Judge, Panaji and Margao-Goa.	Courts at District Head Quarters.

Provided that the panel constituted by the Senior most Judge outside the District Headquarter shall be subject to the previous approval of the District Judge.

4. *Panel to be prepared in consultation with President of Bar or members of Bar.* — The Constituting Authority shall prepare the panel in consultation with the President of the Bar Association, if any and if there be no Bar Association, in consultation with the members of the Bar practising in the Court for which panel is constituted.

5. *Eligibility.* — A Pleader with a standing of not less than three years at the Bar shall be eligible for being taken on the panel.

6. *Removal.* — The Constituting Authority may strike off the name of a Pleader from the Panel when the Pleader ceases to practice due to any reason or when he intimates his unwillingness in writing under rule 15 or when the Constituting Authority finds that the Pleader after accepting an engagement neglects or refuses to discharge his duties. Before striking of a name for neglect or refusing to discharge duties properly, the Constituting Authority shall give an opportunity to the Pleader to be heard.

7. *Revision of Panel.* — The Constituting Authority may add to the panel names of Pleaders after following the procedure referred to in rule 4 as and when it deems necessary to do so.

8. *Assignment to be made by concerned Court.* — When a Pleader is to be assigned to an unrepresented indigent person such assignment shall be made from out of the panel by the Court concerned.

9. *Pleader assigned not to refuse assistance.* — The Pleader assigned shall not refuse assistance to the indigent person, unless the Court is satisfied that he has good reasons for so refusing.

10. *Withdrawal of Pleader assigned.* — The Court may for sufficient reasons permit the Pleader assigned, to withdraw from the proceeding and assign another pleader to represent the indigent person. On such permission for withdrawal being granted, the Pleader originally assigned, shall hand over the papers relating to the proceedings to the Pleader assigned subsequently.

11. *Calling for report from Pleader.* — The Court or Constituting Authority at any time if deemed proper may call for a report from the Pleader assigned, regarding the progress of the suit or proceedings entrusted to him.

12. *Care to be taken by Pleader.* — the Pleader assigned shall take care that no notice is served,

summons issued or petition presented without good cause in prosecution of the indigent person's cause.

13. *Pleader not to take any, fee, etc. from indigent person.* — Whilst a person sues or defends as an indigent person, the Pleader assigned shall not take or agree to take or seek to obtain from him or any other person any fee, profit or reward for the conduct of his business in the Court:

Provided that notwithstanding anything herein contained, the Court or a Judge shall have power to award costs against the adverse party or out of the property recovered in the suit and to direct payment thereof to the Pleader assigned.

14. *Fees.* — The Pleader assigned the case under these rules shall be paid the fees in various courts at the rates mentioned below:—

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| (a) In all legal proceedings in the High Court at Bombay Panaji Bench — Goa. | Rs. 50/- per day subject to a maximum of Rs. 150/- in any one case. |
| (b) In all proceedings in Courts at District Head-Quarters and in small causes Courts in Panaji and Margao. | Rs. 25/- per day subject to a maximum of Rs. 100/- in any one case. |
| (c) Small proceedings in Courts in Taluka. | Rs. 15/- per day subject to a maximum of Rs. 50/- in any one. |

The expenditure on this account shall be met from budget grants sanctioned under budget head "2014-Administration of Justice, 114-Legal Advisers and Counsels, 02-Government Pleaders, 14-Payment for professional and Special Services."

15. *Intimation of unwillingness to continue on panel.* — The Pleader taken on the panel may if he so desires intimate in writing his unwillingness to continue to be on the panel and on receipt of such intimation, his name shall be deleted from the panel provided that Constituting Authority may request the Pleader assigned to continue to represent the indigent person in the matter or matters already assigned.

High Court, Appellate Side, M. V. Gorwadkar
Bombay, 14th June 1989. Additional Registrar
(Administration)